

**CITY OF ROCKVILLE HISTORIC DISTRICT COMMISSION  
STAFF REPORT**

**For  
August 18, 2011  
MEETING NO. 7-2011**

**APPLICATION:**    **HDC2012-00548**

**ADDRESS:**        101, 103, 105, 107 Fleet  
                             Street; 150 Maryland Ave.

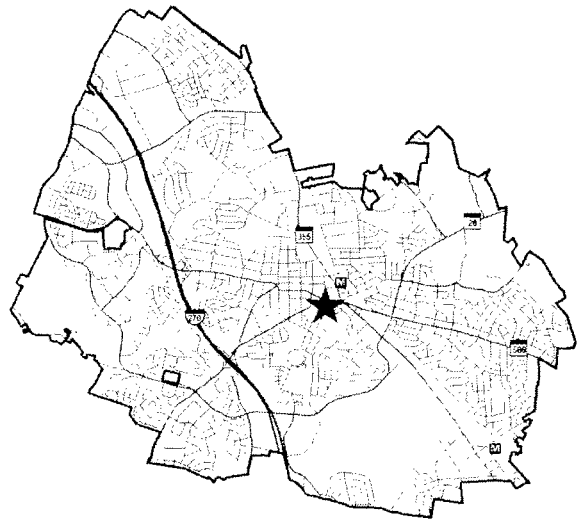
**ACCEPTED:**        7/14/11

**45 DAY LIMIT:**   8/29/11

**OWNER:**           Montgomery County (Alisa  
                             Wilson, Agent)  
                             Victory Housing, Inc.,  
                             (James A. Brown, Jr.,  
                             Agent)

**REQUEST:**        Review design details of  
                             previously approved (in  
                             concept) stormwater intake  
                             planters

**STAFF:**            Robin D. Ziek



**PROJECT SUMMARY:**

The applicant received Historic District Commission (HDC) approval in concept to install stormwater management intake planters at downspout locations adjacent to the historic properties at 101-107 Fleet Street and 150 Maryland Avenue (HDC2010-00496A; see attached minutes at Circle 1-2). The approval was conditioned on submitting the actual design of the stormwater intake planters for HDC review/approval. This application provides that detailed information. The stormwater elements have been reduced in massing to provide for underground stormwater management. The above-ground element is essentially a curb, and will be a minor new element (albeit multiple) within the historic district.

**STAFF RECOMMENDATION:**

**Staff recommends approval, given the following findings:**

The proposed stormwater intake planter boxes will be a minor visual landscape element. The design includes overflow safety features to direct water away from the buildings. They will filter the water from the roof, and will appear as a part of the house garden. The appropriate plant material selected is "lightweight" to permit air circulation in these areas. The work

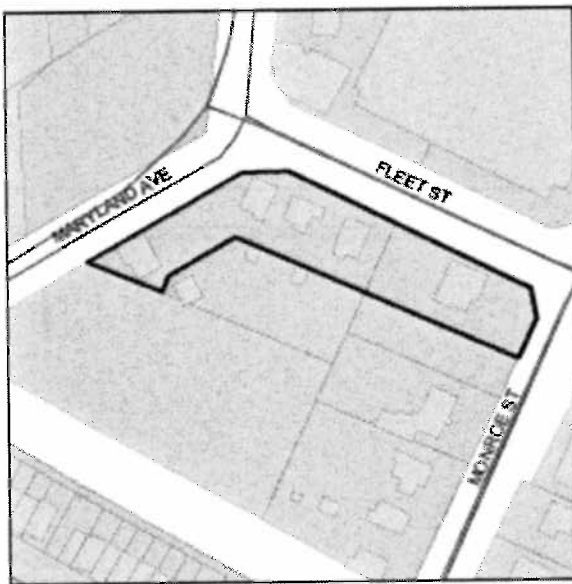
meets the *Secretary of the Interior's Standards* #2 (“...The removal of historic materials ..or alteration of ...spaces that characterize a property shall be avoided.”) and #9 (“New ... construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible...”).

[DRAFT MOTION OF APPROVAL:]

Finding HDC2012-00548, for the installation of micro-bioretenention planter boxes, in compliance with *Secretary of the Interior's Standards* #2 and #9, and finding no negative impact on the architectural significance of the buildings with this proposal, I move approval of the application.

## BACKGROUND

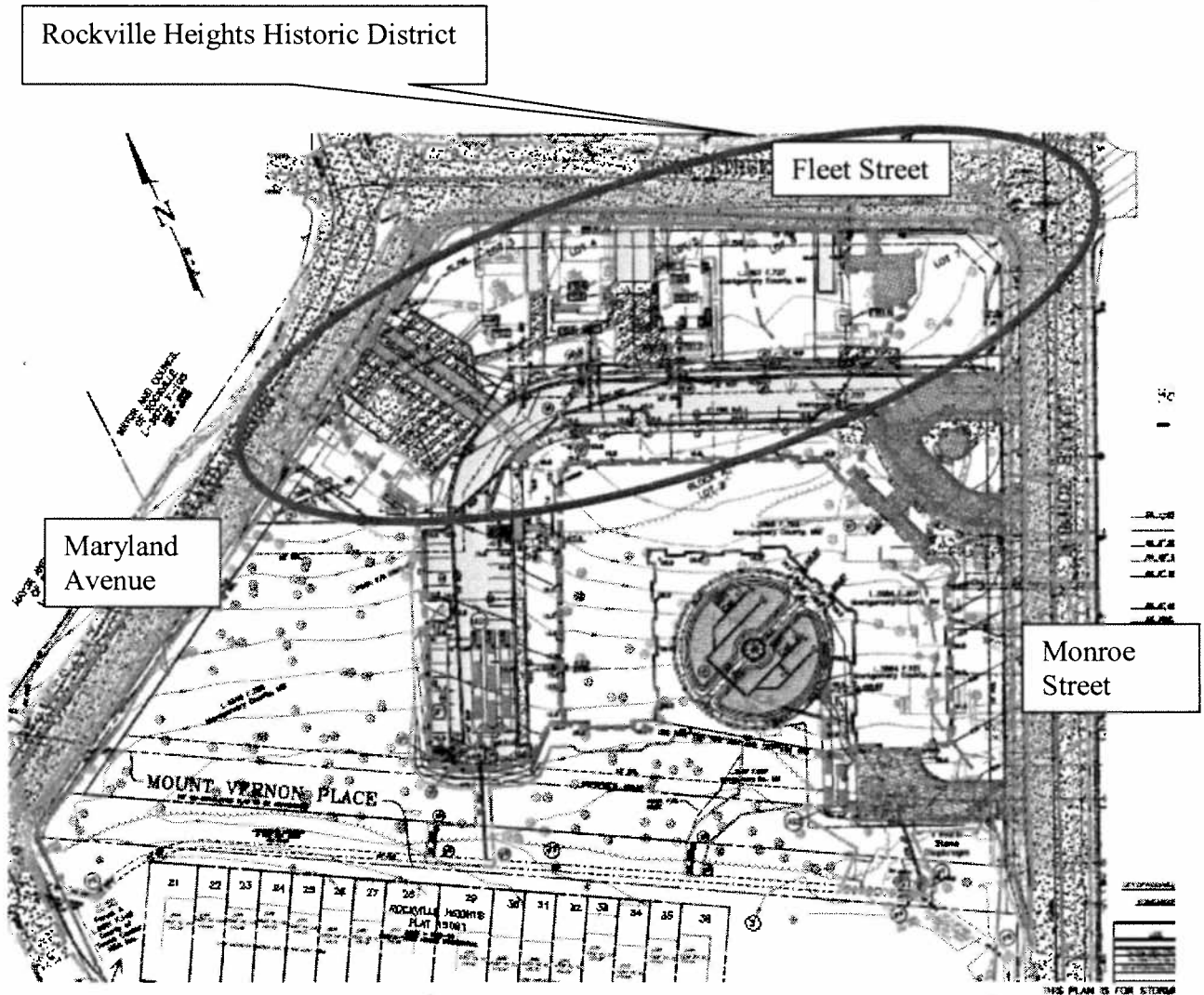
### Historic Significance



The Rockville Heights Historic District is significant as an intact collection of early 20<sup>th</sup> century residential architecture of varying styles. The district borders the Town Center and conveys the small town land use patterns that characterized Rockville's built environment prior to WWII. The Rockville Heights Historic District is located at the northern end of the Rockville Heights subdivision, platted in 1890. The house at 107 Fleet Street dates to 1904 and reflects the late 19th century Queen Anne style. The other four houses were built between 1926 and 1936. Together, they present an early 20<sup>th</sup> century streetscape and reflect the early residential character of this part of Rockville.

### Historic District Property

The historic district properties are owned by Montgomery County. The houses were acquired by the County in the 1960s and have been housed a variety of office uses. Approval of the historic district coincided with finalizing the agreement between Montgomery County and Victory Housing Inc., to construct low-to-moderate income housing for independent seniors on the part of their property immediately to the south of the designated historic houses. The environmental setting of this historic district was established by the Mayor and Council to accommodate both preservation of the historic houses and the new construction (see Circle 3).



## PREVIOUS ACTIONS

- |           |   |
|-----------|---|
| 10/27/10  | Planning Commission approval of Final Record Plat PLT2011-00505   |
| 7/28/10   | Planning Commission approval of Preliminary Subdivision Plan PLT2009-00498  |
| 6/23/10   | Planning Commission approval of STP2010-00034   |
| 5/20/2010 | HDC2010-00496A - Certificate of Approval for the use of stormwater-intake planters adjacent to the historic structures, on condition that the finalized design will come back to the HDC for review and approval. |
| 3/18/2010 | Courtesy Review with HDC  |
| 1/9/2010  | Board of Appeals approval of SPX2009-00378  |

9/12/2009 Board of Appeals review of proposed use through  
11/17/2009 Special Exception application SPX2009-00378  
12/5/2009  
  
11/19/2009 Courtesy Review with HDC  
  
7/16/2009 Courtesy Review with HDC  
  
3/19/2009 Courtesy Review with HDC  
  
12/18/2008 Courtesy Review with HDC  
10/13/2008 Historic District adopted by M&C  
  
6/16/2005 HDC recommended the "Rockville Heights Historic District" to include  
buildings at 101, 103, 105, 107 Fleet Street and 150 Maryland Avenue

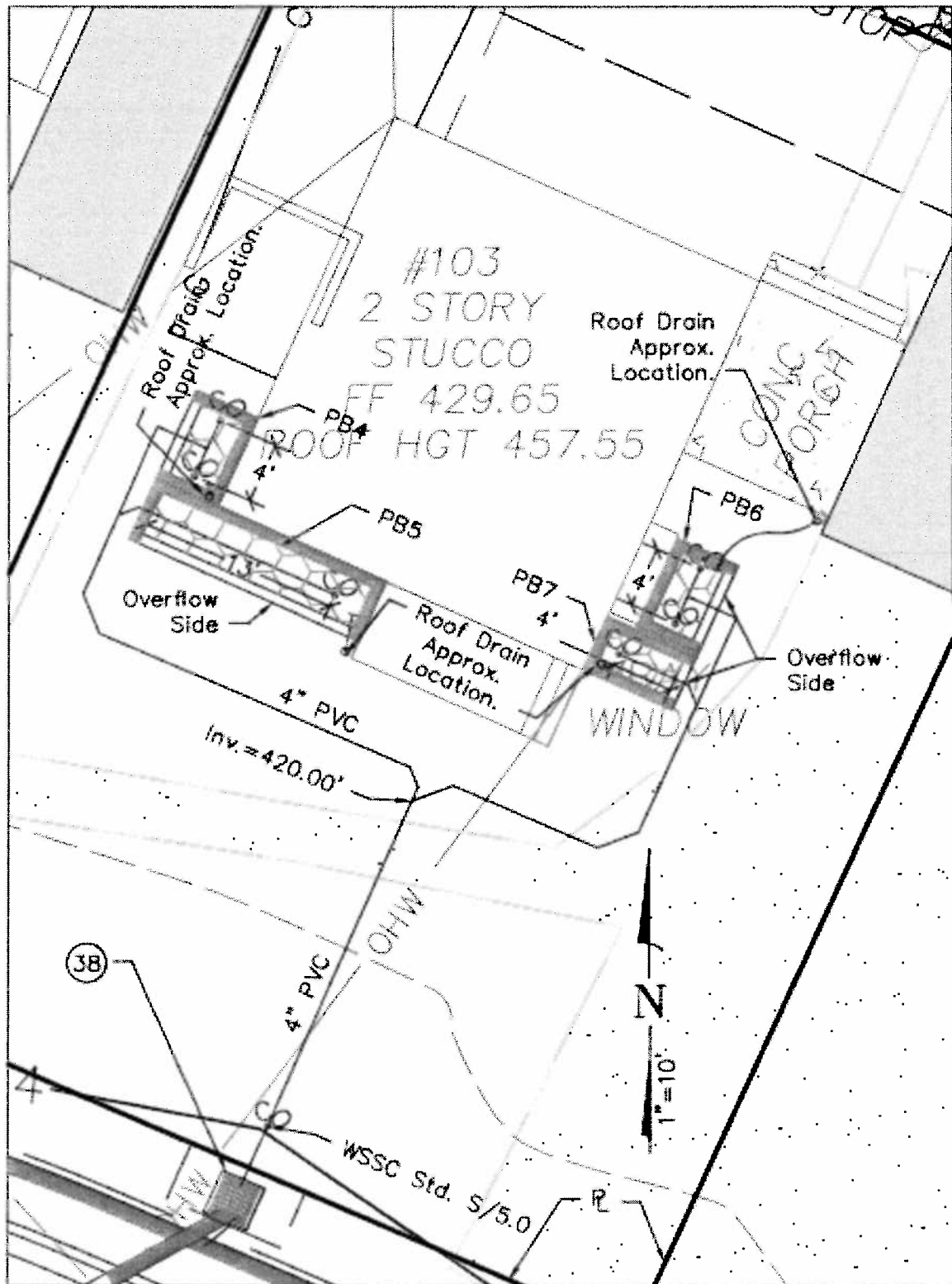
Zone: MXT - HD

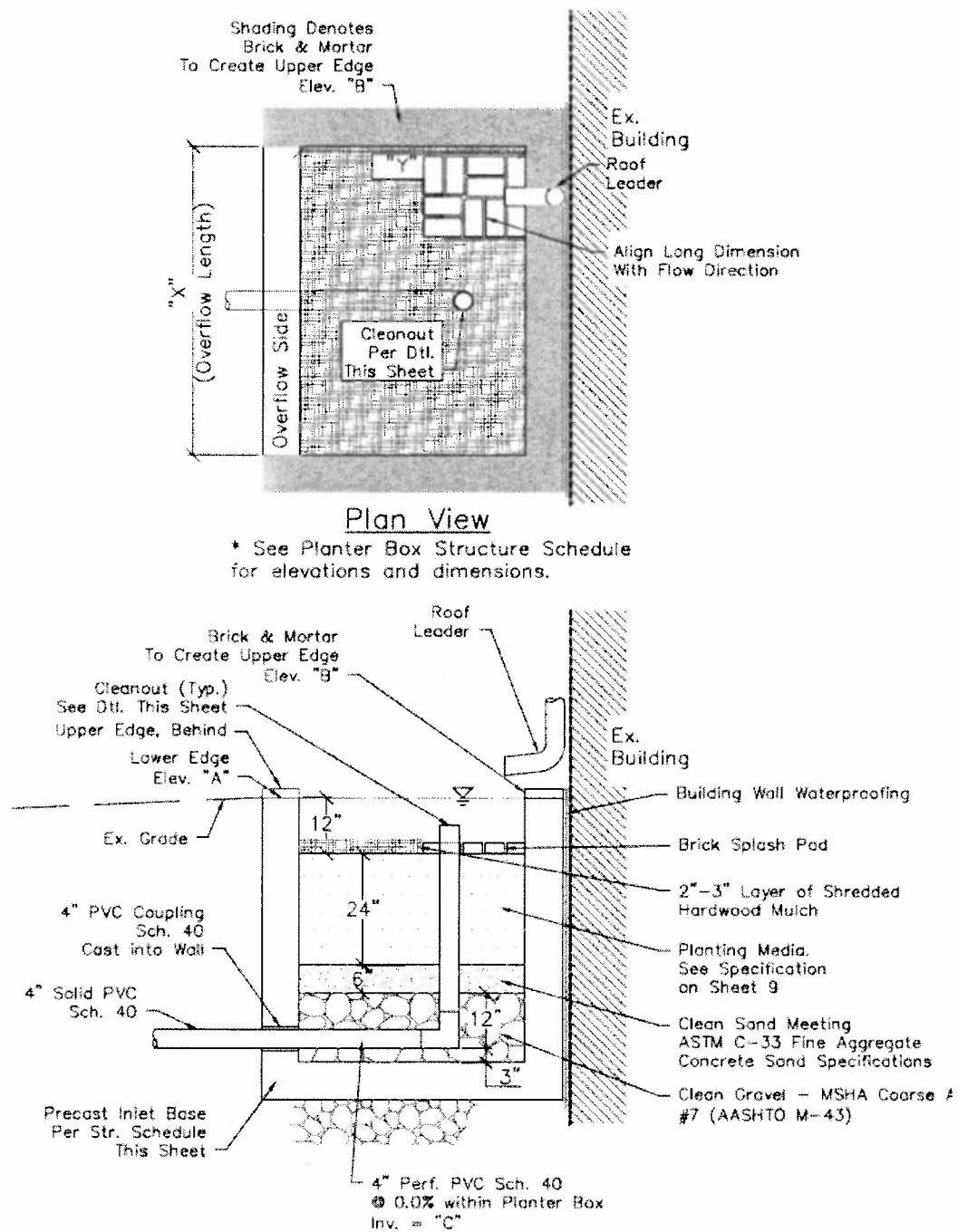
City of Rockville Permits Required: Certificate of Approval for stormwater intake planters;  
Building Permit

### **DISCUSSION OF THE PROPOSED PROJECT and MATERIALS:**

The planter boxes ("box") are a response to new State mandates for returning clean stormwater back into nature. The dimensions of each box will vary with the particular roof size and quantities of rainfall for each downspout (see Circle 4). Each box is concrete and filled with a variety of sand and gravel layers. At the bottom of each concrete box, perforated pipe will collect the filtered water and direct it into the storm drain, where it is eventually dumped into Cabin John Creek, a tributary of the Potomac. The top portion of the box is filled with planting media and topped with hardwood mulch. The box is designed to filter the "dirty" water from each roof through the sand and gravel, but also utilize the filtering capabilities of plants that can thrive in the periodic inundation of rainwater that will stand in the box as it gradually filters down to the perforated pipe (see Circle 5-6).

The concrete lip is higher on three sides to retain the water, while the fourth side is lower and designed as an overflow to direct water away from the house. Each box varies in length and width (see Box Schedule, below). The narrowest width is 2.5', so the overflow rainwater will run from the house at this distance, at a minimum. This is illustrated below, in the plan view for 103 Fleet Street, where four separate boxes are proposed (see Circle 4)..





Maintenance and Upkeep:

The top of the box will look like a typical mulched flowerbed, and should require no more maintenance than homeowners typically undertake for their garden, such as raking up leaves each fall. In a typical rain, all of the roof water will be removed from the site, which may be helpful to keep basements dry.

Plant materials specified are herbaceous (grasses, iris, etc.) or shrubs (inkberry, sweetspire, etc). These are not dense-growing plants, and should allow sufficient air circulation for wood siding and generally to let the buildings dry out after a rain (see Circle 5-6).

**OTHER CONSIDERATIONS:**

Tax credits do not apply to new construction; and do not apply to landscape work in general.

**COMPLIANCE WITH GUIDELINES:**

The proposed stormwater intake planter boxes will be a minor visual landscape element. The design includes overflow safety features to direct water away from the buildings. They will remove rain water from the site, but will meld into the site as part of the garden. Plant materials selected are such as to permit air circulation for the siding in these areas. The work meets the *Secretary of the Interior's Standards* #2 ("...The removal of historic materials .. or alteration of ...spaces that characterize a property shall be avoided.") and #9 ("New ... construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible...").

## **Secretary of the Interior's Standards for the Treatment of Historic Properties (1995)**

### **Standards for Rehabilitation**

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

► 2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.

3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.

5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

► 8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

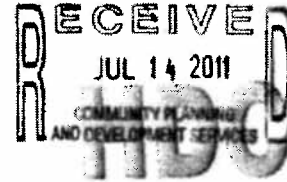
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.



August 11, 2011



City of Rockville  
Department of Community Planning and Development Services  
Historic Preservation Office  
111 Maryland Ave. • Rockville, MD 20850-2384 • 240-314-8230  
www.rockvillemd.gov/historic



## APPLICATION FOR HISTORIC DISTRICT COMMISSION (HDC)

Victory Court Senior Housing Project - SWM Intake Planters on  
Adjacent Rockville Heights Historic District Lots

**PROJECT IDENTIFICATION:** Adjacent Rockville Heights Historic District Lots  
Application is hereby made with the Historic District Commission of Rockville for a Certificate of Approval for the property described below:

PLEASE PRINT CLEARLY OR TYPE	PROPERTY ADDRESS		
	NAME, STREET & ZIP City of Rockville. Building address to be determined		
	SUBDIVISION P00 205042	LOT Lot 2	BLOCK Block A
	ZONING MXT	PARCEL NO. 144,015 SE (Lot 2)	PROPERTY SIZE (in square feet)
APPLICANT*			
	FIRST James A.	Victory Housing Inc. on behalf of a to be formed ownership entity?	
	LAST Brown, Jr.	5430 Grovenor Lane, #210, Bethesda, MD 20814	
PROPERTY OWNER			
	FIRST Alisa	Montgomery County, MD	
	LAST Wilson	c/o DNCA 186 Maryland Avenue, 4th Floor Rockville, MD 20850	
ARCHITECT			
Registration #	COMPANY Orlann + Parker Architects		
	LAST Schutz	FIRST Logan	
SCOPE OF WORK			
<input type="checkbox"/> FENCE	<input type="checkbox"/> MATURE TREE REMOVAL	<input type="checkbox"/> CHIMNEY	
<input type="checkbox"/> SIDING/TRIM	<input type="checkbox"/> WINDOWS/DOORS	<input type="checkbox"/> MISCELLANEOUS	
<input type="checkbox"/> SIGNAGE	<input type="checkbox"/> ADDITION	<input type="checkbox"/> ORDINARY MAINTENANCE	
<input type="checkbox"/> PARKING LOT	<input type="checkbox"/> ROOFING	<input type="checkbox"/> NEW CONSTRUCTION	
<input type="checkbox"/> LANDSCAPING	<input type="checkbox"/> ACCESSORY BUILDING	<input checked="" type="checkbox"/> OTHER	

\* A letter of authorization from the owner must be submitted if this application is filed by anyone other than the owner.

Description of the proposed work in brief (attach additional sheets as necessary): Installation of stormwater management intake planters at various locations as specified on Victory Court Stormwater Management Plan.

I hereby certify that I have the authority to make this application, that the application is complete and correct and that I have read and understand all procedures for filing this permit.

TO BE COMPLETED BY STAFF	
Application #:	HDC 2012-00548
Public Hearing Date:	3-18-11
Decision:	<input type="checkbox"/> Approved <input type="checkbox"/> Staff Approval
	<input type="checkbox"/> Denied <input type="checkbox"/> Approved w/conditions
45 Day Review Date:	
Staff reviewer:	RDZ

Signature of Applicant

*James A. Brown, Jr.*  
James A. Brown, Jr.

Received by: *7/14/2011 [Signature]*  
Accepted by: *7/14/2011 [Signature]*  
Date: *7/14/2011*

See reverse side  
Revised 107

**Attachments:** Minutes HDC meeting May 20, 2010 (Circle 1-2)  
Montgomery County Property - overall plan (Circle 3)  
Stormwater intake planters (Circle 4)  
Planting plan and plant schedule (Circle 5-6)

**Historic District Commission  
Minutes  
Meeting No. 08-2010**

Thursday, May 20, 2010

**PRESENT:** Janet Hunt McCool, Chair

Craig Moloney, Anita Neal Powell, Joe Hansen

**Staff present:** Robin Ziek, Historic Preservation Planner; Rosemary Faya Prola, Architectural Historian; Jim Wasilak, Chief of Planning

**A. HDC2010-00496A**

Applicant: Victory Housing

Address: 209 Monroe Street

Request: Site Plan elements (Certificate of Approval)

Preliminary Plan of Subdivision (Recommendation to Planning Commission)

Staff Ziek presented a brief PowerPoint presentation, and summarized the different requests coming to the HDC. The Certificate of Approval is required for proposed Site Plan elements within the Historic District: stormwater management "planters" at the downspouts for the historic houses, encroachment of a shared-use path; landscape plantings within the historic district as part of the larger Victory Court project; and construction of emergency vehicle access between 150 Maryland Avenue (Lot 1) and 101 Fleet Street (Lot 3).

The Courtesy Review is required to provide a recommendation to the Planning Commission on the Preliminary Plan of Subdivision, which will establish individual lots for each of the houses within the Historic District in accordance with the Mayor and Council's delineation of the environmental setting for this example of early 20th century suburban development.

The applicant provided an illustration of a driveway turnaround for Lot 1 and Lot 7, where the existing parking areas will be removed. There are no proposed changes at driveways on Lots 3 through 5. Staff recommends the turnaround on Lot 1 because of heavy traffic on Maryland Avenue and proximity to the corner, but not on Lot 7, as this will be a similar condition to the other three houses.

Staff recommends the 8-foot shared-use path, with its encroachment at Lots 6 and 7, noting that DPW affirmed that DPW will make the final decisions about the materials and design of the shared-use path.

Commissioner Moloney asked DPW staff directly whether or not they agreed that the HDC had approval authority over encroachments into the historic district? Staff Torma said yes. Commissioner Moloney further asked if DPW staff understood that the HDC should provide a Courtesy Review of the shared use path? Staff Torma said yes, as this had been followed at Chestnut Lodge. Commissioner Moloney asked about the Road Standard that identifies brick paving for sidewalks in the historic districts? Staff Torma responded that there is a Road Standard for this, but they are not using it. Staff Wessel commented that perhaps this was meant only for residential neighborhoods? He noted this road is classified as "Business District" and they intend to follow that Road Standard. He also noted that the sidewalk currently doesn't meet ADA standards, and that the Bikeway Master Plan recommends the shared-use path at this location.

Chair Hunt-McCool noted that the HDC were told that the houses will be sold as single-family homes, and that decisions about parking had been made based on this assertion.

Chief of Planning Wasilak noted that these were historically single-family homes, but have been used for offices in the recent past. The current zoning is for Mixed Use Transition.

Commissioner Moloney asked why the five street trees were being removed, as this affects the residential character of the historic district. DPW staff noted that the City Forester has recommended that they be removed, and that there isn't sufficient room to plant replacement trees.

The applicant's attorney, Soo Lee-Cho, asked for a change in language in terms of the recommendation to

the Planning Commission concerning Outlots A and B, that they currently are working on an agreement that will assure that Victory Court is responsible for the maintenance of these outlots. However, she noted that the ownership could change in the future, and the HDC shouldn't stipulate who owns the property.

The applicant noted that the proposed paving at Outlot B is "grasscrete" or cellular concrete paving for the emergency driveway, with the concrete sidewalk down the middle.

Commissioner Moloney discussed the redesign of the Victory Court building, noting that the Maryland Avenue façade doesn't have the same level of articulation as the Monroe Street facade.

*Public Comments:*

Councilperson Newton noted that the design is somewhat institutional looking. She has concerns about Fleet Street and the need to protect the historic district houses. She doesn't see this as a connection to the bike path on Wooton Parkway, and would like less paving and street trees.

Noreen Bryan, from 207 S. Washington Street, is concerned about the shared-use path. She is a biker, but thinks the 8' width will detract from the historic houses and their property values. She briefly surveyed the neighborhood for sidewalk widths, and there is a range, but nothing this wide (5'-4" by the County Council building, or 4' 8" by City Hall). For such a short distance, this looks like the bike path to nowhere! She says this should go forward as a sidewalk concept, which will enhance the community.

Christine Ginsberg, from 1204 Simmons Drive, commented that it's been difficult to track state information on the properties in the historic district because of changes in lot numbers/assignments. She expressed confusion about the zoning and what standards should apply here.

Mary van Balgooy from Peerless Rockville echoed Noreen Bryan's comments, and wondered about the DPW report that asserted singular authority over the shared-use path.

Staff Ziek commented that the staff report did not include any comments on trees #3 (Lot 3) and #16 (Lot 4). Both of these trees are too close to the historic buildings, and should be removed. The applicant's attorney noted that the county had no plans to do anything with the trees.

The Commission talked further about the shared-use path, and asked about removing the existing street trees. The Assistant City Forester, Elise Cary, testified that all the trees are in decline. She noted that they can't propose new trees here because the width of the public right-of-way will not allow an adequate tree panel. She noted that in Town Center, the builder devised a special continuous tree panel under the paving.

Commissioner Moloney noted that the street trees are an asset. He also supports the turnaround for the new driveway on Lot 1, but nowhere else.

The Commission discussed and proposed several Motions, but the Chief of Planning asked for clarification to assure that the HDC addressed its purview in terms of the Courtesy Review with a recommendation from the HDC, and the Certificate of Approval with HDC review/approval authority.

**MOTION:** Commissioner Moloney made a motion to recommend approval of the Preliminary Plan of Subdivision as proposed. Commissioner Hansen seconded.

**VOTE:** The motion passed 3-0.

**MOTION:** Commissioner Moloney made a motion to approve the Landscape Plan, with the stormwater planters in concept, with the driveway turnaround on Lot 1 only, with no encroachment within the Historic District by the shared-use path, and that the actual design of the stormwater planters will be reviewed/approved by the HDC when finalized. Commissioner Hansen seconded.

**VOTE:** The motion passed 3-0.

**MOTION:** Commissioner Moloney made a motion to recommend that the Landscape Plan should include street trees in tree panels along Fleet Street, that there should not be a shared-use path along Fleet Street but a sidewalk that meets ADA standards and is no wider than 48" and is paved in brick. Commissioner Hansen seconded.

**VOTE:** The motion passed 3-0.




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**APPLICANT:**  
Victory Housing, Inc.  
5430 Grosvenor Lane #210  
Bethesda, MD 20814  
301-493-0424  
Contact: Jeff Blackwell

SEAN D. ROGER, P.E.

4TH E.D. - CITY OF ROCKVILLE - MONTGOMERY COUNTY, MD

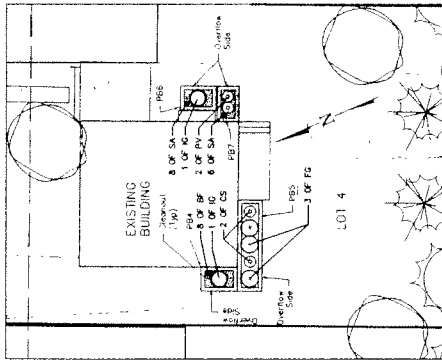
**MHG**  

**Media, Handouts & Glascock, P.A.**  
 Engineers & Planners  
 Landscape Architects & Surveyors

9200 Maguire Road, Suite 140  
 Rockville, MD 20850-1375  
 Phone: 301.674.0444  
 Fax: 301.674.0445  
[www.mhg.com](http://www.mhg.com)

Proj. No.	Mag.	Designer
Date	Scale	
6-28-11	1" = 30'	
Project No.	Sheet	
061111.1	061111.1	
		of 13







Planter Box Planting Plan  
Micro-Bioretentation  
Lot 4, PB 3-7  
Scale: 1" = 10'


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THIS PLAN IS FOR STORMWATER MANAGEMENT ONLY

**STORMWATER MANAGEMENT PLAN**  
**LOT 2, BLOCK A, VICTORY COURT**

**VICTORY COURT SENIORS HOUSING**

**C-21**

 <b>MHG</b> 20000 Weymouth Road, Suite 120 Montgomery Village, Maryland 20886-1179	Means, Hendricks & Glascock, P.A. Landscape Architects - Surveyors		Prof. Agr. 10/11/11	Designer 11/13/13
	4TH E.D. - CITY OF ROCKVILLE - MONTGOMERY COUNTY, MD	Date 5-28-11	Scale As Shown	Project No. 081111

[illegible]

**OWNER.**  
MONTGOMERY COUNTY  
101 MONROE STREET  
ROCKVILLE, MD 20850  
PHONE 240-777-3623

**APPLICANT:**  
Victory Housing, Inc.  
5430 Grosvenor Lane #210  
Bethesda, MD 20814  
301-493-0424  
Contact: Jeff Blackwell

FOR LOCATIONS OF CITY WATER AND SEWER  
CALL "CITY UTILITIES SUPERINTENDENT"  
AT 240-314-8567. FOR LOCATIONS OF  
OTHER UTILITIES CALL "MISS UTILITY"  
AT 1-800-257-7777 AT LEAST 48 HOURS  
BEFORE BEGINNING CONSTRUCTION

## STORMWATER PLANT SCHEDULE

KEY	QTY	BOTANICAL NAME	COMMON NAME	HYDRO- LOGY	INDICATOR STATUS	ROOT / INSTALL SIZE	SPACING
<b>HERBACEOUS</b>							
AN	210	Aster novi-belgii 'Winston Churchill'	New York Aster	Irregular and upland	FACW+	1 quart Pot	18" o.c.
AS	1150	Agrostis stolonifera	Creeping Bentgrass	Seasonal inundation	FACW	Plug	12" o.c.
BF	820	Iris versicolor	Blue Flag	Regular inundation 0-6"	OBL	Bulb	12" o.c.
CC	205	Calamagrostis canadensis	Blue Joint Grass	Seasonal to regular inundation 0-6"	FACW+	Plug	18" o.c.
CS	114	Carex stricta	Tussock Sedge	Regular inundation	OBL	Plug	24" o.c.
EP	108	Eupatorium perfoliatum	Boneset	Irregular and upland	FACW+	#1 Cont.	24" o.c.
LS	637	Lobelia siphilitica	Great Blue Lobelia	Irregular inundation	FACW+	1 quart Pot	12" o.c.
PV	4	Panicum virgatum	Switchgrass	Upland	FAC	Plug	24" o.c.
RH	175	Rudbeckia hirta	Black-eyed Susan	Irregular and Upland	FACU	#1 Cont.	18" o.c.
SA	37	Sisyrinchium angustifolium	Blue-eye Grass	Irregular and upland	FACW	Plug	12" o.c.
<b>SHRUBS</b>							
CA	15	Clethra alnifolia 'Hummingbird'	Hummingbird Summersweet	Seasonal to Regular inundation	FAC+	#3 Cont. / 24-30" ht.	4' o.c.
FG	25	Fothergilla gardenii	Dwarf Fothergilla	Seasonal inundation	FACW	#3 Cont. / 24-30" ht.	3' o.c.
IG	26	Ilex glabra 'Compacta'	Compact Inkberry	Seasonal inundation	FACW-	#3 Cont. / 24-30" ht.	4' o.c.
IV	3	Itea virginica 'Little Henry'	Little Henry Sweetspire	Seasonal to Regular inundation	OBL	#2 Cont. / 36-42" ht.	4' o.c.
IW	3	Ilex verticillata (Select 2 Females & 1 Male)	Winterberry	Seasonal inundation	FACW+	#3 Cont. / 36-42" ht.	4' o.c.
RP	9	Rosa palustris	Swamp Rose	Regular inundation 0 - 3"	OBL	#3 Cont. / 18-24" ht.	4' o.c.
<b>TREES</b>							
AC	4	Amelanchier canadensis	Serviceberry	seasonal inundation	FAC	B&B/	
BN	3	Betula nigra	River Birch	Regular inundation	FAC	B&B/ 2-2½" Cal	
MV	5	Magnolia virginiana	Sweetbay Magnolia	Regular to Seasonal inundation	FACW+	B&B/ 5-6' ht.	
VL	1	Viburnum lentago	Nannyberry	Seasonal inundation	FAC	#2 Cont. / 3-4' Ht.	